

UNITED STATES DISTRICT COURT
DISTRICT OF NEW HAMPSHIRE

NATIONAL EDUCATION ASSOCIATION;
et al.,

Plaintiffs,

v.

UNITED STATES DEPARTMENT OF
EDUCATION; *et al.*,

Defendants.

Case No. 1:25-cv-00091-LM

DEFENDANTS' ASSENTED-TO MOTION TO EXTEND BRIEFING DEADLINES

Defendants respectfully request the Court extend the current deadlines for briefing the pending cross-motions for summary judgment by one week. *See* Order Granting Joint Stipulation to Summary Judgment/Motion to Dismiss Briefing Schedule, Dkt. 80. If extended by one week, the new briefing schedule would be:

- Defendants' Combined Opposition, Cross Motion for Summary Judgment, Motion to Dismiss: **due Thursday, July 17, 2025**
- Plaintiffs' Opposition/ Reply: **due Friday, July 25, 2025**
- Defendants' Reply: **due Friday, August 1, 2025**

Under Federal Rules of Civil Procedure 6(b)(1)(A), "the court may, for good cause, extend [a deadline] . . . if a request is made, before the original time or its extension expires." There is good cause here to grant a modest one-week extension of time.

Another lawsuit against Defendants raising similar claims as those raised here has been initiated in the District of New Mexico. *See Bd. Educ. Silver Consolidated Schools v. McMahon*,

2:25-CV-00586 (D.N.M) (hereinafter *BSCS*). Plaintiff there seeks emergency relief from the Dear Colleague Letter, FAQ Document, and “EndDEI Portal,” as well as other alleged contract-related actions by Defendants. *See id.*, ECF Nos. 1, 6. Defendants’ response to the New Mexico Plaintiff’s motion for a temporary restraining order and/or preliminary injunction is currently due on July 9, 2025, however, Defendants have filed an unopposed request for an extension to July 11, 2025, to submit their opposition. *See id.*, ECF No. 13. Additionally, the *BCSC* Court has scheduled a hearing on the emergency motion for July 15, 2025, although Defendants also filed an unopposed request to continue the hearing date to July 16, 2025. *See id.*, ECF Nos. 10, 13.

Defendants are represented by the same counsel in the New Mexico case as they are in the present matter. There is good cause to grant this extension request so that Defendants can prepare adequate defenses in both cases in light of the emergency proceedings. Defendants conferred with Plaintiffs prior to filing this motion, and Plaintiffs assented to the proposed briefing schedule extending each party’s deadlines by one week. Granting this motion would not result in the continuance of any hearing, conference, or trial.

For the foregoing reasons, Defendants respectfully request the Court grant this extension and enter the above proposed schedule.

Date: July 8, 2025,

Respectfully submitted,

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